

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**CHRISTOPHER LEFEVER, *et al.*,**

**Plaintiff**

**v.**

**UNITED STATES OF AMERICA,**

**Defendant**

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**CIVIL NO. 3:17-CV-1499**

**(Judge Caputo)**

**O R D E R**

**AND NOW**, this **2nd** day of **MAY 2019**, upon consideration of the United States of America's unopposed motion to stay proceedings on Mr. LeFever's FTCA claim and appoint a mediator, it is hereby **ORDERED** that:

1. The unopposed motion (ECF No. 58) is **granted**.
2. This case is **referred** to the Court's Alternative Dispute Resolution Coordinator for assignment of a mediator.
3. Mr. LeFever's FTCA claim is **stayed** pending a written report from the mediator.
4. The United States and Mr. LeFever shall engage in mandatory mediation efforts regarding Mr. LeFever's FTCA claim against the United States before this litigation proceeds further.
5. As part of this mandatory mediation program, Mr. LeFever and the United States shall be required to meet and engage in good faith discussions to determine whether the FTCA claim can be resolved.
6. The United States shall determine whether any other similar cases have been litigated in the federal prison system, and at the time of court-ordered mediation sessions, shall provide the court-appointed mediator(s) and Plaintiff with public record information concerning the outcome of these cases, to assist and inform the Plaintiff in evaluating settlement proposals made by the Defendant.

7. To reduce cost, time, expense, inconvenience, and to suitably address institutional security concerns, the United States and the mediator will coordinate with officials with the Bureau of Prisons to schedule either in-person or video-conference mediation sessions with Mr. LeFever at a mutually convenient time and in a manner that comports with the needs and concerns of prison officials.
8. The United States, Mr. LeFever and the appointed mediator shall complete mediation in this matter by **Wednesday, July 10, 2019**. The mediator shall promptly notify the Court in writing if this case is resolved through mediation.
9. Mediation discussions are confidential and may not be utilized by any party if settlement is not reached.

/s/ A. Richard Caputo

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**A. RICHARD CAPUTO**  
**United States District Judge**